

REMARKS

Claims 116-125 and 217-221 are pending in the present application. Claims 116-125 and 217-221 have been examined and are rejected. In the above amendments, claims 116, 117, 121, 122, 217 and 218 have been amended, and new claims 225-241 have been added. Therefore, after entry of the above amendments, claims 116-125, 217-221 and 225-241 will be pending in this application. Applicant believes that the present application is now in condition for allowance, which prompt and favorable action is respectfully requested.

Rejection of Claims 116-125 and 217-221 Under 35 U.S.C. §102(e)

Claims 116-125 and 217-221 stand rejected under 35 U.S.C. §102(e) as being anticipated by Gopalakrishnan *et al* (U.S. Patent No. 7,006,464), which is referred to as “Gopal”.

Claim 116 of the present application, as amended, recites:

“An apparatus in a wireless multiple-access multiple-input multiple-output (MIMO) communication system, comprising:
a transmit data processor operative to
process system parameters and a pilot for transmission via a
broadcast channel, wherein the pilot is used for channel estimation of the downlink,
process scheduling information for transmission via a forward control
channel, wherein the scheduling information is for data transmission on the downlink
and an uplink, and
process traffic data for transmission via a forward channel; and
a receive data processor operative to
process user requests for system access received via a random access
channel, and
process traffic data received via a reverse channel.”

Applicant submits that claim 116 is not anticipated by Gopal for at least the following reasons.

First, Gopal does not disclose “a transmit data processor operative to process system parameters and a pilot for transmission via a broadcast channel, wherein the pilot is used for channel estimation of the downlink,” as recited in claim 116. The rejection indicates that

Gopal (in column 3, lines 35-49) describes sending transmitter power fraction (which allegedly corresponds to system parameters) and OVSF code space (which allegedly corresponds to pilot) on a downlink broadcast channel. Applicant submits that the OVSF code space in Gopal is different from the pilot in claim 1 and is not used for channel estimation. Rather, the OVSF code space in Gopal is used for data transmission on a high-speed downlink shared channel (HS-DSCH). (See column 6, lines 42-43.)

Second, Gopal does not disclose “process scheduling information for transmission via a forward control channel, wherein the scheduling information is for data transmission on the downlink and an uplink,” as recited in claim 116. The rejection indicates that this feature of claim 116 is disclosed by Gopal in column 3, lines 5-10. This cited section states “the downlink shared channel is associated with a Downlink Dedicated Channel (DCH). This dedicated channel is used to identify the user that is scheduled for transmission in the shared channel.” The cited section of Gopal thus describes sending information on a dedicated channel instead of a forward control channel. Furthermore, Gopal describes identifying a scheduled user with the dedicated channel and not sending scheduling information for data transmission, as recited in claim 116.

Third, Gopal does not disclose “a receive data processor operative to process user requests for system access received via a random access channel,” as recited in claim 116. The rejection indicates that this feature of claim 116 is disclosed by Gopal in column 3, lines 50-65. This cited section simply describes using 0.67 millisecond (ms) granularity for the downlink and 2 ms granularity for the uplink DPCCH, or different slot durations for the downlink and uplink. Column 4, lines 3-16 of Gopal describe sending pilot, TFCI, FBI, TPC, ACK/NACK, and RAI on the DPCCH, which are different types of control information used to support data transmission on the downlink. These sections of Gopal do not describe processing user requests for system access received via a random access channel, as cited in claim 116.

For at least the above reasons, Applicant submits that claim 116 is not anticipated by Gopal. Claims 117-120 are dependent on claim 116 and are not anticipated by Gopal for at least the reasons noted for base claim 116.

Independent claims 121 and 217 have each been amended to recite the features noted above for claim 116. Claims 122-125 are dependent on claim 121, and claims 218-221 are

dependent on claim 217. Claims 121-125 and 217-221 are not anticipated by Gopal for at least the reasons noted for claim 116.

Accordingly, the §102(e) rejection of claims 116-125 and 217-221 should be withdrawn.

New Claims

New claims 225-241 recite additional features of the present application. Support for claim 225 is given in paragraph 1013 and FIG. 5A of the present application. Support for claims 226-231 is given in Table 5. Support for claims 232 and 233 is given in Tables 6-12. Support for claims 234-236 is given in Table 15. Claims 237-241 are method claims corresponding to means-plus claims 121-125.

CONCLUSION

In light of the amendments contained herein, Applicant submits that the application is in condition for allowance, for which early action is requested.

Please charge any fees or credit any overpayments that may be due with this response to Deposit Account No. 17-0026.

Respectfully submitted,

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